

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CARLOS HARRIS,)
Plaintiff,) Civil Action No. 07 - 216
v.) Judge Joy Flowers Conti
OFFICER MICHAEL REDDY,) Magistrate Judge Lisa Pupo
Pittsburgh Police Department;) Lenihan
OFFICER SEAN RATTIGAN,)
Pittsburgh Police Department;) Doc. No. 31
OFFICER ROBERT PIRES,)
Pittsburgh Police Department;)
OFFICER JOHN SEZENSKY,)
Pittsburgh Police Department;)
OFFICER BURFORD, Pittsburgh)
Police Department and)
PITTSBURGH POLICE DEPARTMENT,)
Zone 5)

Defendants.

MEMORANDUM ORDER

Plaintiff's complaint was received by the Clerk of Court on February 20, 2007 and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation, filed on June 29, 2009 (Doc. No. 44), recommended that Defendants' Motion for Summary Judgment (Doc. No. 31) be denied. Service was made on Plaintiff at SCI-Greene, 175 Progress Drive, Waynesburg, PA 15370, and on counsel for Defendants. No objections to the Report and Recommendation were filed. After review of the pleadings and

documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 2nd day of September, 2009,

IT IS HEREBY ORDERED that Defendants' Motion for Summary Judgment (Doc. No. 31) is DENIED.

The Report and Recommendation of Magistrate Judge Lenihan, dated June 29, 2009 (Doc. No. 44), is adopted as the opinion of the Court.

/s/ Joy Flowers Conti
JOY FLOWERS CONTI
United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

Carlos Harris, EW5113
SCI Greene
175 Progress Drive
Waynesburg, PA 15370

All Counsel of Record
Via Electronic Mail